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7
8 IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

9 In re:

10
11 BENJAMIN JONES and
12 JESSICA TREOLA JONES,

13 Debtors.

Chapter 7 Proceeding

Case No. 2:11-bk-34839 SSC

14
15 DEBTORS' MOTION FOR
REDEMPTION OF PERSONAL
PROPERTY

(Household Goods)

16
17 Debtors, BENJAMIN JONES and JESSICA TREOLA JONES, (hereinafter
18 "Movants" or "Debtors"), by and through their attorneys, pursuant to 11 U.S.C. § 722
19 and Rule 6008-1 move the Court to enter an Order Approving Redemption of Personal
20 Property from secured lienholder Wells Fargo Financial National Bank (hereinafter
21 "Wells Fargo") as follows:

22 a. Requiring Wells Fargo accept \$1,500.00 in full satisfaction of the lien
23 upon the property more fully described hereinafter.

25 **Washer, Refrigerator, King Mattress and Boxspring**
26 b. Authorizing the Debtors to retain possession of the property, as
appropriate.

1 c. Granting the Debtors such other and further relief as the Court may deem
2 just in the circumstances.

3 This Motion is more fully supported by the attached Memorandum of Facts and
4 Law which is incorporated herein by reference.

5 RESPECTFULLY SUBMITTED this 14th day of February, 2012.

6
7 JOHN JOSEPH VOLIN, P.C.
8

9 /s/ TPS, #026088
10 By: John J. Volin, #09880
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MEMORANDUM OF FACTS AND LAW

On December 28, 2011, BENJAMIN JONES and JESSICA TREOLA JONES filed a voluntary petition for relief under Chapter 7 of the United States Bankruptcy Code. Brian J. Mullen is the duly appointed Chapter 7 Trustee.

The Debtors show the particulars of the proposed Redemption are as follows:

a. The property is described as follows:

(i) Washer, Refrigerator, King Mattress and Boxspring, secured by a
the property in the approximate amount of \$4,026.83 in favor of Wells Fargo.

11 b. That such property is used primarily for personal use, and that the debt
12 incurred constitutes a “consumer debt” within the meaning of 11 U.S.C. § 101(7), which
13 is dischargeable under 11 U.S.C. § 727(b).

14 c. That such property has been or should be abandoned by the trustee under
15 11 U.S.C. § 554, as it is of inconsequential value and burdensome to the estate.

17 d. That the reasonable total fair market value of the property is \$1,500.00;
18 the funds to redeem the property would be paid by the Debtors.

19 e. That the Order Approving Redemption of Personal Property allow 15 days
20 following entry of the Order for Debtors to tender the redemption amount to Wells Fargo.

21 f. That any objections to this motion must be served and filed within
22 fourteen (14) days of service. Absent the filing of any objections, an order granting the
23 relief requested in this motion may be entered.
24

WHEREFORE, based upon the foregoing, Debtors respectfully request the Court issue an Order approving redemption of the following personal property:

1. Washer, Refrigerator, King Mattress and Boxspring, for \$1,500.00 representing the fair market value for the property.

2. Debtors request such other and further relief as the Court deems just and proper.

RESPECTFULLY SUBMITTED this 14th day of February, 2012.

JOHN JOSEPH VOLIN, P.C.

/s/ TPS, #026088

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